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Rec'd: FEBRUARY 18, 1959  
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~~FOR~~ *CO*

FROM: NEW YORK

Info  
RMR

TO: Secretary of State

SS

NO: 679, FEBRUARY 18, 7 PM

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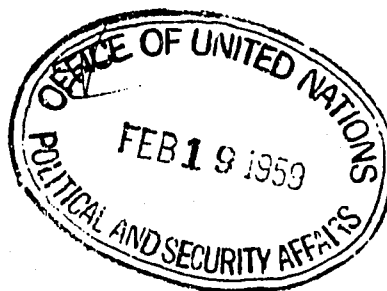
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RE: BERLIN



IN CONNECTION DEPARTMENT'S CONSIDERATION POSSIBLE USE UN AS ELEMENT IN OUR POLICY IN BERLIN, I WISH MAKE FOLLOWING COMMENTS:

1. ACTION IN UN PRIOR TO USE OF FORCE WOULD MAKE SUCH USE MORE DIFFICULT AND POSSIBLY PREVENT IT SUBSEQUENTLY, YET FORCE MAY BE ONLY WAY KEEP OUR LINES TO BERLIN OPEN. DOUBTFUL WE CAN GET VOTES FOR STRONG ENOUGH RESOLUTION TO JUSTIFY USE OF FORCE LATER. FEAR IS TOO GREAT AMONG UN REPRESENTATIVES OF ANY ACTION, HOWEVER JUSTIFIED, WHICH MIGHT BRING CLASH BETWEEN SOVIET UNION AND US.

2. BRINGING BERLIN ISSUE TO UN WILL INEVITABLY LEAD TO ATTEMPTS COMPROMISE. IF WE REBUFF THESE ATTEMPTS, REJECT COMPROMISE, AND PARTICULARLY IF WE USE FORCE TO MAINTAIN RIGHT OF ACCESS WHILE UN PROCESSES GOING ON, ONUS MAY SHIFT TO US AND WE APPEAR BE DISTURBERS OF PEACE REJECTING UN PROCEDURES.

3. IF WE SEE POSSIBILITY OF COMPROMISE ACCEPTABLE US, SC MIGHT PROVIDE GOOD FORUM IN WHICH DEVELOP IT PRIOR USE OF FORCE. HOWEVER, AS I UNDERSTAND IT, OUR POLICY IS TO REFUSE ANY COMPROMISE ON OUR RIGHTS OF ACCESS AND TO USE NECESSARY FORCE TO MAINTAIN RIGHT. IN THAT CASE, FROM STANDPOINT OF UN ACTION, WE WOULD BE BETTER POSITION IF WE USE WHAT FORCE IS NECESSARY AS SOON AS FIRST GDR CHALLENGE COMES. SIMULTANEOUSLY WE SHOULD TAKE ISSUE TO SC, STATING OUR CASE AND REPORTING WHAT WE HAVE DONE.

4. IN THESE CIRCUMSTANCES SC ACTION WOULD HAVE PROCEED FROM FACT

OUR

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Name *Smith* Date *4/13/59*

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-2- 679, FEBRUARY 18, 7 PM, FROM NEW YORK.

510' OUR TEMPORARY CONTROL OF ACCESS TO ASSURE OUR RIGHTS. WE COULD FOCUS SC ATTENTION ON EASING IMMEDIATE CRISIS. WE WOULD THEREBY AVOID UN ATTEMPT AT COMPROMISE ON OVERALL WESTERN AND RUSSIAN POSITIONS IN BERLIN. WE COULD, FOR EXAMPLE, INTRODUCE RESOLUTION CALLING FOR CEASE-FIRE AND RETURN TO STATUS QUO ANTE OF FOUR POWER CONTROL AND ALSO FOR FOUR POWER TALKS, POSSIBLY WITHIN SC FRAMEWORK.

5. AS REGARDS UN ASPECTS, PARALLEL IS VERY CLOSE BETWEEN PRESENT CASE AND SITUATION WE FACED LAST SUMMER OVER LEBANON, ALTHOUGH IN CASE OF BERLIN WE CAN BASE OURSELVES ON ACKNOWLEDGED PRIOR RIGHTS TO WHICH THERE WAS NO COUNTERPART IN LEBANON. WE WOULD NEVER HAVE GOTTEN UN AUTHORIZATION IN ADVANCE TO SEND OUR TROOPS TO LEBANON.

6. FOLLOWING SUCH AN APPEAL TO SC WE WOULD TAKE ALL POSSIBLE STEPS AVOID IMMEDIATE EMERGENCY GA, FOR WHICH STRONG PRESSURE WOULD DEVELOP, EVEN WITHIN SC MEMBERSHIP. IN GA, PRESSURES FOR ALMOST ANY KIND COMPROMISE COULD WELL BECOME SO OVERWHELMING AS TO JEOPARDIZE US BEST INTERESTS.

7. WE COULD STALL OFF EMERGENCY GA IN TWO WAYS. FIRST, SEVERAL PROPOSALS FOR UN ACTION COULD BE INITIATED BY OURSELVES AND OTHERS WHICH SC WOULD HAVE CONSIDER CONSECUTIVELY, REQUIRING SEVERAL DAYS, AND THUS GIVING US TIME CONSOLIDATE SITUATION IN AREA BEFORE GA CALLED. SECOND, WE COULD CONTINUE WITHIN SC PRESS FOR FOUR POWER MEETING.

8. SUCH INITIATIVES IN COUNCIL, ESPECIALLY CALLS FOR FOUR POWER TALKS, WOULD APPEAR AS EFFORT SHIFT DISPUTE BACK ONTO DIPLOMATIC PLANE, IN ACCORD WITH OVERWHELMING DESIRE UN MEMBERS PREVENT SPREAD OF CONFLICT.

9. WE COULD INCREASE APPARENT FLEXIBILITY OUR POSITION AND INCREASE IMPACT OUR PROPOSAL FOR FOUR POWER CONFERENCE IF WE WERE ALSO WILLING SUGGEST POSSIBILITY HEADS OF STATE MEETING ALSO WITHIN SC FRAME-  
WORK TO FOLLOW SUCCESSFUL FOREIGN MINISTERS CONFERENCES AS WE

SUGGESTED

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-3- 679, FEBRUARY 18, 7 PM, FROM NEW YORK.

SUGGESTED LAST SUMMER. THIS WAS A GOOD FORMULA WHICH, IF PROPERLY APPLIED, WOULD NOT HAVE ENDANGERED OUR INTERESTS.

10. THUS, WE WOULD HAVE INITIATIVE IN SEEKING PEACEFUL SOLUTION, WHILE ACTUALLY ENFORCING OUR RIGHT OF ACCESS TO BERLIN. WE WOULD ALSO HAVE INITIATIVE ON SUMMIT ISSUE THROUGH PROCEDURE WE COULD CONTROL.

11. FROM POINT OF VIEW OF MAINTAINING BEST PUBLIC POSTURE FOR POSSIBLE UN ACTION, I ALSO AGREE WITH BERLIN'S 680 THAT WE HAVE CLEARER SITUATION IF NO DOCUMENTS SHOWN GDR OFFICIALS AT ALL. WE MUST KEEP FOCUS ON MAIN ISSUE, NAMELY WHETHER OR NOT SOVIETS UNILATERALLY CAN TRANSFER TO GDR CONTROL OF OUR ACCESS TO BERLIN IN VIOLATION OUR RIGHTS AND AGAINST OUR PROTESTS. WE MUST STAND DIRECTLY ON PRINCIPLE IN SUCH WAY THAT OUR ACTIONS CANNOT BE MISINTERPRETED AS QUIBBLING. WE MUST NOT LET SOVIET ENTANGLE MAIN ISSUE IN DEBATE BY MAKING IT APPEAR "WESTERN POWERS RISKING WAR OVER LEGAL TECHNICALITY OF PROCESSING DOCUMENTS."

LODGE

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